

02/21/02

Patent  
Attorney's Docket No. 021238-513

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**REQUEST FOR FILING CONTINUATION/DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

11002 U.S. PTO  
10/078536  
02/21/02

**Box PATENT APPLICATION**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 09/498,343 filed on February 4, 2000, for CIGARETTE HAVING REDUCED SIDESTREAM SMOKE, by the following named inventor(s):

- |     |           |                         |
|-----|-----------|-------------------------|
| (a) | Full Name | Walter A. Nichols       |
| (b) | Full Name | John R. Hearn           |
| (c) | Full Name | F. Murphy Sprinkel, Jr. |
| (d) | Full Name | Jay A Fournier          |
| (e) | Full Name | Jerry F. Whidby         |

- ☐ Applicant(s) hereby requests that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.
- ☒ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name \_\_\_\_\_
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

- [ ]** This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.



- (a) Full Name \_\_\_\_\_  
(b) Full Name \_\_\_\_\_  
(c) Full Name \_\_\_\_\_

- [X] Applicant(s) suggests Figure 1 for inclusion on the front page of the patent application publication and/or patent.
1. [X] Enclosed is a copy of the prior Application No. 09/498,343 as originally filed on February 4, 2000, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. [ ] Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. [ ] Small entity status is hereby claimed.
4. [X] **This application is being filed without a filing fee. A Notice to File Missing Parts is requested.**
5. [X] New drawings are enclosed.
6. [ ] Priority of Application No.      filed on      in      (country) is claimed under 35 U.S.C. § 119.
- [ ] The certified copy of the priority application
- [ ] is enclosed.
- [ ] was filed on      in prior Application No.     , filed on     , and acknowledged by the Examiner on      in Paper No.     .
- [ ] has not yet been filed.
7. [X] Please amend the specification by inserting before the first line the sentence:
- [X] --This application is a [X] continuation [ ] divisional of Application No. 09/498,343, filed on February 4, 2000 which is a continuation of Application No. 09/003,497, filed January 6, 1998, now abandoned.--.
- [ ] --This application is a [ ] continuation [ ] divisional of U.S. Application No.     , filed on     , which was a national stage filing under 35 U.S.C. § 371 of International Application No.      filed on     , which International Application [ ] was [ ] was not published by the International Bureau in English on     --.
- [ ] --This application is a [ ] continuation [ ] divisional of U.S. Application No.     , filed on     , which was a continuation of International Application No.     , filed on     , which International Application [ ] was [ ] was not published by the International Bureau in English on     --.
8. [ ] A preliminary amendment is enclosed.

9. ☐ An Information Disclosure Statement is enclosed.
10. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
11. ☒ Also enclosed SUBMISSION OF FORMAL DRAWINGS.
12. ☒ The power of attorney in the prior application is to Kevin B. Osborne, Clinton H. Hallman, Charles E. B. Glenn and the partners of Burns, Doane, Swecker & Mathis, LLP.
- a. ☒ The power appears in the original papers in the prior application.
  - b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
  - c. ☐ Recognize as Associate Attorney   .
  - d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Peter K. Skiff  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

Date: February 21, 2002

By: 

Peter K. Skiff  
Registration No. 31,917

ADDRESS OF SIGNATOR:

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- ☐ inventor(s)  
☐ assignee of complete interest  
☒ attorney or agent of record  
☐ filed under 37 C.F.R. § 1.34(a)

#3/la  
9-7-02  
Patent

Attorney's Docket No. 021238-513

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of ) Attention: **DRAFTING BRANCH**  
)  
Walter A. NICHOLS et al. ) Group Art Unit: Not Yet Assigned  
)  
Application No.: Not Yet Assigned ) Examiner: Not Yet Assigned  
)  
Filed: February 21, 2002 )  
)  
For: CIGARETTE HAVING REDUCED )  
SIDESTREAM SMOKE )  
)  
)

**SUBMISSION OF FORMAL DRAWINGS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**ATTN: OFFICIAL DRAFTSMAN**

Sir:

Enclosed please find five sheet(s) of formal drawings for review by the Patent and Trademark Office. Should the enclosed drawings require changes, it is respectfully requested that the Patent and Trademark Office notify the undersigned of same.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: February 21, 2002

By: Peter K. Skiff

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Registration No. 31,917

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